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Title: Observation regarding moving of Cut Motions.

MADAM SPEAKER: Shri Gurudas Dasgupta, hon. Member, in a letter addressed to me raised an important point relating to the right of the Members of the House in moving cut motions on the Demands for Grants which are guillotined. He quoted Article 113 of the Constitution and stated that since the Constitution vests in the House of the People the power to assent to a Demand subject to reduction of the amount specified in that Demand, the Members have the right to move cut motions on any Demand submitted to the House for its approval.

This point was also raised in the Business Advisory Committee Meeting held on 15th April, 2010, by Shrimati Sushma Swaraj, the Leader of Opposition, and other hon. Members. I had promised to examine this issue in terms of the constitutional provisions and the Rules and Practices followed in the House.

The practice followed so far in the House has been that the cut motions in respect of Demands for Grants which are to be guillotined are not circulated and thus not allowed to be moved. But, I did not find any rule which bars the moving of cut motions on Demands which are not discussed in the House.

The right to move a cut motion flows from the power vested in the House under Article 113 of the Constitution to assent to any Demand subject to a reduction of the amount specified in that Demand. This Article or any of the Rules does not make any distinction between the Demands which are discussed in the House and those which are guillotined. Article 113 uses the words 'any demand'. It is thus clear that Cut Motions can be moved on all Demands submitted to the House under Article 113(2).

I have given careful consideration to the rules as well as the practice that has been followed all these years in respect of cut motions. I have also examined the constitutional provision which vests the power in the House of the People to reduce any Demand submitted to the House. Constitutional right is a superior right and it overrides practices. Right to move cut motions is an important right of the Members of the House provided in the Constitution which cannot be curtailed. I am, therefore, allowing the cut motions to be moved on Demands which are to be guillotined.

Lists of Cut Motions to the Outstanding Demands of various Ministries/Departments have already been circulated. In the normal course, Members are given 15 minutes' time to send slips at the Table indicating the serial number of the Cut Motions which they intend to move. However, in the present case, since it is not possible to give time to the Members to send slips at the Table indicating the serial number of the Cut Motions they would like to move, all the Cut Motions to the Outstanding Demands of various Ministries/Departments, for which notices have been given and which have been circulated, will be treated as moved. And, these cut motions will be disposed of before the Outstanding Demands are put to the vote of the House.

□ CUT MOTIONS

Disapproval of Policy
